

Wilson County Board of Zoning Appeals Minutes September 19, 2019

The Wilson County Board of Zoning Appeals met September 19, 2019 at 9:00 a.m. in the County Commission Room of the Wilson County Courthouse, Lebanon, Tennessee, pursuant to public notice. Those members present were Abercrombie, Blaydes, Neal and Thompson. Also, present was County Planning staff, Building Inspector staff, Storm Water staff, County Attorney Mike Jennings and Court Reporter Teresa Hatcher, hired by the county.

Thompson called the meeting to order. Thompson informed individuals with questions or who desire to make comments before the Board concerning the cases to approach the podium when asked by the Chairman and to sign in on the sign-up sheet giving name, address, and case of interest. Thompson informed individuals that anyone desiring to withdraw or request deferral could do so at this time. Thompson informed everyone that a stenographer was present and individuals could get with her at the end of the meeting if they desired a transcript of the meeting. Thompson then asked all individuals who desired to make statements before the Board to raise their hands. He thereupon administered the oath to each and every one of the prospective witnesses. Thompson stated that staff makes recommendations which are considered by the Board.

Minutes of the August 15, 2019 meeting were read and approved, motion made by Neal, second by Abercrombie and all voting aye.

The following cases were presented:

CASE 3723

REQUEST: Josh Weier is seeking a variance of six (6) feet from the rear yard setback requirement of ten (10) feet, a variance of approximately twenty one thousand, seven hundred and seventy (21, 770) square feet from the lot size requirement of forty thousand (40,000) square feet and a variance of fifteen (15) feet from the lot width requirement of one hundred and twenty-five (125) feet. The variance will allow the proposed addition to an existing accessory structure to be nine (9) feet from the rear property line. The property located at 2023 Sanford Drive, Lot 20, Tradewinds is Group "A", Parcel 17 on Wilson County Tax Map 32 "G". The size of the property is approximately eighteen thousand, two hundred and thirty (18,230) square feet and is zoned A-1 Agricultural.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - C. REAR YARD - 2. For accessory structures there shall be a rear yard of not less than ten (10) feet. - E. LOT WIDTH - 5. Where dwellings are not served by a public sewer system there shall be a minimum lot width of one hundred twenty-five (125) feet at the front building line. [revised 07-7-4] - F. MINIMUM LOT AREA - 3. For each dwelling and buildings accessory thereto, not served by a public sewer system but served by a public water system, there shall be a minimum lot area of forty thousand (40,000) square feet; however, a greater lot area may be required based on recommendations by the State of Tennessee Department of Environment and Conservation. [revised resolution 07-7-4]

ACTION: Staff read recommendations. Applicant appeared presenting his case. After discussion, motion made by Blaydes, second by Neal and all voting aye, the request was approved based on staff recommendations.

CASE 3724

REQUEST: **Robert Strader** is seeking a variance of four (4) feet from the height requirement of twenty-two (22) feet for accessory structures. The variance will allow the proposed accessory structure to be twenty-six (26) feet in height. The property located at 4565 Old Hartsville Pike, Lot 1, John White Property is Parcel 1.08 on Wilson County Tax Map 38. The property consists of 1.97 acres and is zoned A-1 Agricultural.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.06 HEIGHT REGULATIONS. Accessory structures shall not exceed twenty-two (22) feet in height OR they must match the predominant two (2) roof pitch angles of the residence if exceeding twenty-two (22) feet. Other zoning district height criterion is still applicable if this option is exercised. If this option is exercised building material of accessory must match primary residential structure. [revised resolution 15-2-13]

ACTION: Staff read recommendations. Applicant appeared presenting his case. After discussion, motion made by Blaydes, second by Abercrombie and all voting aye, the request was approved.

CASE 3725

REQUEST: **Jerry and Patsy McDonald** are seeking to establish two (2) dwellings on one (1) tract of land. The property located at 693 Mires Road is Parcel 23 on Wilson County Tax Map 118. The property consists of twenty-six (26) acres and is zoned R-1 Residential.

ORDINANCE REFERENCE: ARTICLE 3 GENERAL PROVISIONS - SECTION 3.40 NUMBER AND LOCATION OF BUILDINGS ON LOT - 3.40.02 With the exception of group housing developments, including mobile home parks, only one principal structure and its customary accessory structures shall hereafter be erected on any lot in any residential district or any residential lots in any agricultural district.

ACTION: Applicant requested deferral at the beginning of the meeting when Thompson asked if anyone wanted to withdraw or defer. On motion of Abercrombie, second by Blaydes and all voting aye, the request was deferred until the October meeting.

CASE 3726

REQUEST: **Carrie Padgett** is seeking to establish an event venue on R-1 Residential zoned property. The property located at 1485 North Greenhill Road is Parcel 32 on Wilson County Tax Map 50. The property consists of 8.18 acres and is zoned R-1 Residential.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.10 RURAL RESIDENTIAL (R-1) - 5.10.03 USES PERMISSIBLE ON APPEAL – J. Other similar uses as reviewed and approved by the Board of Zoning Appeals.

ACTION: Staff read recommendations. Applicant appeared presenting her case. Philip Donnell appeared with concerns. Carter Wilson residing at 1425 North Greenhill Road appeared with concerns and in opposition. Kenneth Rowlett residing at 1760 North

Greenhill Road appeared in opposition. Charles Woods residing at 1630 North Greenhill Road appeared in opposition. Steven Lohr residing at 438 Vanderbilt Road appeared in opposition. Kim Holden residing at 250 Vanderbilt Road appeared in opposition. Peter Bagdon residing at 280 Vanderbilt Road appeared in opposition and submitted a petition. John McBride residing at 500 Vanderbilt Road appeared in opposition. Shawna Wilson residing at 1425 North Greenhill Road appeared in opposition. Commissioner Kevin Costley spoke with concerns and in opposition. The applicant spoke again concerning the traffic and the entrance into the property. After discussion, motion made by Neal, second by Abercrombie and all voting aye, the request was denied based on staff recommendations and testimony given.

CASE 3727

REQUEST: K and A Land Surveying are seeking variances of thirty (30) feet from the northeast rear yard and the east rear yard setback requirements of forty (40) feet. The variances will allow the proposed addition to be ten (10) feet from the northeast and east rear property lines. The property located at 6141 Saundersville Road, Lot 1, Rolling Acres is a combination of Parcel 71 on Wilson County Tax Map 31 and Group "A", Parcel 1 on Wilson County Tax Map 31 "O". The property consists of a total of 2.09 acres and is zoned R-1 Residential.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.10 RURAL RESIDENTIAL (R-1) - C. REAR YARD - 1. For principal structures (not served by public sewer system) there shall be a rear yard of not less than forty (40) feet. [revised 12-13-93 revised resolution 07-7-4]

ACTION: Staff read recommendations. Brian Keith with K and A Land Surveying appeared presenting his case. After discussion, motion made by Thompson, second by Blaydes and all voting aye, the request was approved for a twenty (20) feet variance on both the northeast and east rear yards.

CASE 3728

REQUEST: Jamie Gillespie is seeking to establish a storage facility for boats and RV's on A-1 Agricultural zoned properties. The properties located at 6879 and 6905 Lebanon Road are Parcels 25 and 26 on Wilson County Tax Map 55. Parcel 25 consists of 1.90 acres and Parcel 26 consists of 2.21 acres.

ORDINANCE REFERENCE: ARTICLE 5 ZONING DISTRICTS - SECTION 5.20 AGRICULTURAL (A-1) - 5.20.03 USES PERMISSIBLE ON APPEAL (revised 12/15/2003 resolution 03-12-2) - 5.20.03.1 USES PERMISSIBLE ON APPEAL - DD. Other similar uses as reviewed and approved by the Board of Zoning Appeals.

ACTION: Staff read recommendations. Applicant appeared presenting his case. Terry Tidwell, residing at 6925 Lebanon Road appeared in opposition. Applicant spoke concerning the buffer. After discussion, motion made by Abercrombie, second by Neal and all voting aye, the request was denied based on staff recommendations.

There being no further business to come before the Board at this time, on motion duly made and seconded, adjourned.

Secretary